Declaratory Res. No. 604-1928
For the vacation of that portion of Selden St. from a point 20 west of the west line of Anthony Blvd. to the west line of the 1st alley N. of Anthony; also for the vacation of the 1st a. east of Anthony from Selden St. to the north right of way line of the Pennsylvania R. Co. Industrial Track.

Adopted: October 18, 1928

Confirmed: December 4, 1928
Prim. Ass. Roll ord.: Dec. 4, 1928
" " " appd.: Feb. 12, 1929

Confirmed Ass. Roll: Mar. 12, 1929

COMPLETED

DECLARATORY RESOLUTION NO. 604-1928.

(See Amendment)

For the vacation of that portion of Selden Street from a point twenty (20) feet west of the west line of Anthony Boulevard to the west line of the first alley west of Anthony Boulevard; also for the vacation of the first alley west of Anthony Boulevard from Selden Street to the north right of way line of the Pennsylvania Railroad Company's Industrial Track (so-called).

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate that portion of Selden Street from a point twenty (20) feet west of the west line of Anthony Boulevard to the west line of the first alley west of Anthony Boulevard; also to vacate the first alley west of Anthony Boulevard from Selden Street to the north right of way line of the Pennsylvania Railroad Company's Industrial Track (so-called).

All as shown by a plan of such proposed street and alley vacation as above described now on file in the office of the Department of Public Works of said City.

The property which may be injuriously or beneficially affected by the proposed street and alley vacation as above described is described as all lots and parcels of land abutting on the west side of Anthony Boulevard lying between Selden Street and the Pennsylvania Railroad Company's Industrial Track (so-called) and within two hundred (200) feet west of the west line of said Anthony Boulevard.

The above described street and alley vacation is subject to an agreement made and entered into on the 12th day of June, 1928 by and between the General Electric Company, by C. E. Eveleth, its Vice President and the City of Fort Wayne, through its Board of Public Works, stating among other matters that if this resolution is finally confirmed by said Board of Public Works that the said General Electric Company agrees to deed to the City of Fort Wayne, Indiana, a strip of land not to exceed twenty (20) feet wide off from the east end of each of lots Numbered 8, 9, 10, 11 and 12 in the Amended Plat of J. K. Edgerton's Addition to the City of Fort Wayne, Indiana, at such time as the said City has completed the subway at the crossing of Anthony Boulevard and the tracks of the Pennsylvania Railroad Company and the City has need of said strip of land for the actual widening of said Anthony Boulevard.

The cost of said street and alley vacation as above described and all expenses connected therewith shall be assessed against the property beneficially affected thereby.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6th, 1905, and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Sheet 2
Dec. Res. No. 604

Assessments if deferred are to be paid in ten equal annual installments with interest at the rate of five (5) per cent per annum. Under no circumstances shall the City of Fort Wayne, Indiana, be or be held responsible for any sum or sums due from said property owner or owners for said condemnation of property, or for the payment of any bond or bonds, certificate or certificates issued in payment for such property damages, except for such moneys as shall have been actually received by the City from the assessments for such damages to property or such moneys as said City is by said above entitled act required to pay. All proceedings had in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All of the above described streets and alleys and lots and lands affected by the above street and alley vacation as herebefore described being situated in the East Half of the Northeast Quarter of Section 12, Township 30 North, Range 12 East and within the corporate limits of the City of Fort Wayne, Indiana.

Adopted this 18th day of October, 1928.

Wm Beck

Tom Snook

Attest: Martha E Dick
Secretary.

William C O Rourke
Board of Public Works.

Amended November 15, 1928 to read as follows: For the vacation of Selden Street from the west line of Anthony Boulevard to the west line of the first alley west of Anthony Boulevard; also for the vacation of the first alley west of Anthony Boulevard from Selden Street to the north right of way line of the Pennsylvania Railroad Company's Industrial Track (so-called).

This Agreement made and entered into this 12 day of June, 1928, by and between the General Electric Company, party of the first part and hereinafter designated the "Company", and the City of Fort Wayne, by and through its Board of Public Works, party of the second part and hereinafter designated the "City" is to show that

WHEREAS the Company is the owner of Lots Numbered 8, 9, 10, 11 and 12 in the Amended Plat of J. K. Edgerton's Addition to the City of Fort Wayne, and has petitioned said Board of Works to vacate Selden Street and the North and South Alley in the rear of said Lots; and

WHEREAS the said City is desirous of widening Anthony Boulevard by adding to said street not to exceed twenty (20) feet off the east end of each of said Lots.

Now therefore it is agreed by the parties hereto that the said Board of Works shall ~~immediately~~ adopt a resolution vacating said Seldon Street and said alley along the rear end of said Lots and the Company agrees to deed to the City a strip of land not to exceed twenty feet wide off the east end of each said Lots 8, 9, 10, 11 and 12 and of said Seldon Street at such time as the City has completed the subway at Anthony Boulevard and the Pennsylvania Railway and the City has need of said strip of land in the actual widening of Anthony Boulevard.

In Witness Whereof the parties hereto have signed their names the day and year first above written.

GENERAL ELECTRIC COMPANY

by C. E. Eveletto V.P.

CITY OF FORT WAYNE

by A. M. Peck

Tom Snook

William J. O'Rourke

Its Board of Public Works.

ATTEST: Agatha E. Dirks
SECRETARY.

City of Fort Wayne

DEPARTMENT OF PUBLIC WORKS
FORT WAYNE, INDIANA

WILLIAM BECK, PRESIDENT
AGATHA E. DIEK, SECRETARY
TOM SNOOK
W. S. O'ROURKE

October 11th, 1928.

Mr. F. M. Randall,
City Engineer,
Fort Wayne, Indiana.

Dear Sir:

Complying with our order of January 12th, 1928, requesting you to prepare plans and specifications for the vacation of Seldon Street from Anthony Boulevard to the first alley west, and also for the vacation of the alley west of Anthony Boulevard from the south line of Seldon Street to the Findley Tracks South; you are hereby instructed to present the said plans and specifications to the Board of Public Works this 11th day of October, 1928.

Yours truly,

Agatha E. Diek

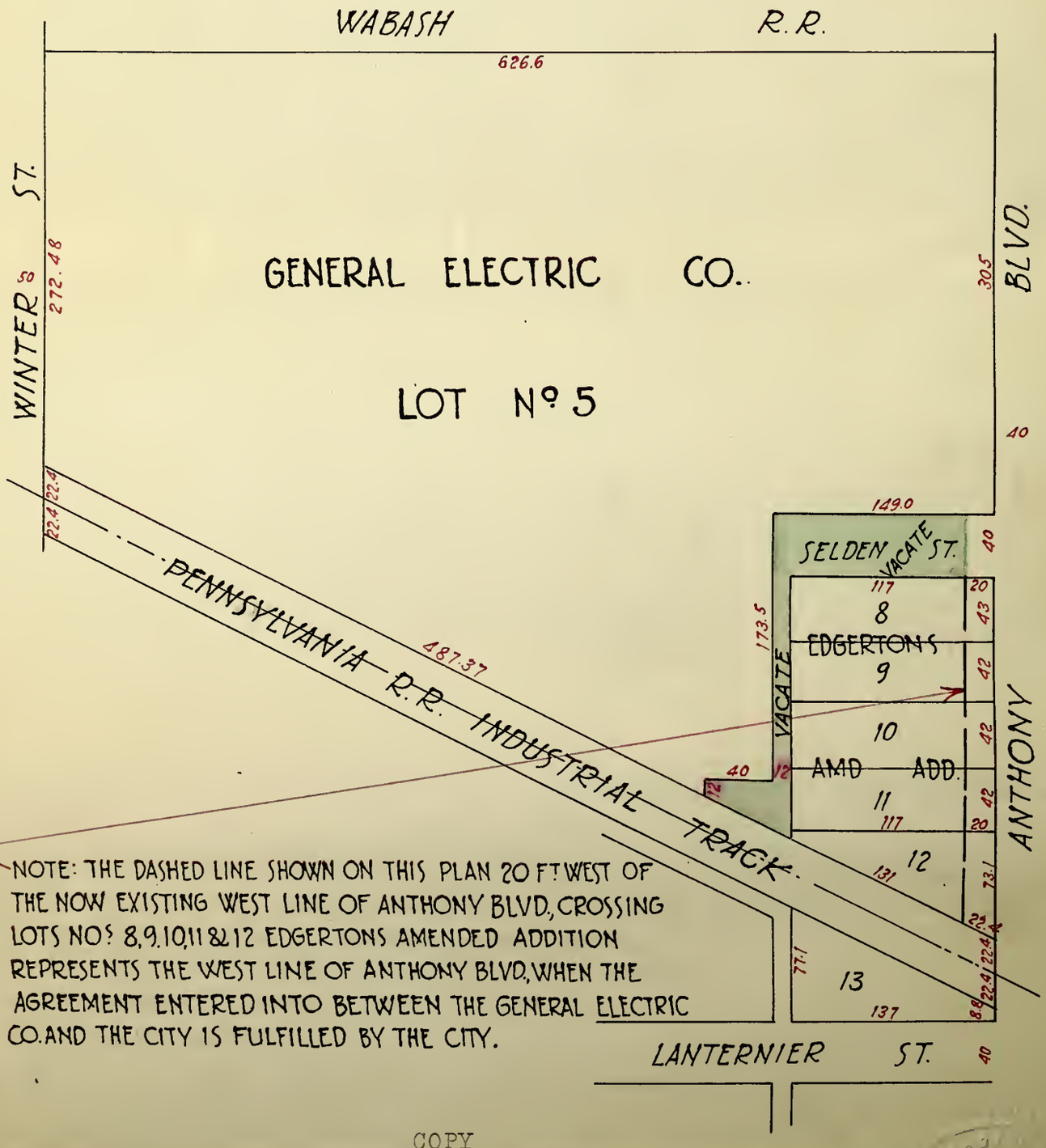
SECY. BD. OF PUBLIC WORKS

AED:JPL:

PLAN OF THE VACATION OF THAT PORTION OF SELDEN ST., FROM A POINT 20 FT. WEST OF ANTHONY BLVD. TO ITS PRESENT WESTERN TERMINUS.

ALSO FOR THE VACATION OF THE ALLEY WEST OF ANTHONY BLVD, FROM SELDEN ST. TO THE NORTH RIGHT-OF-WAY LINE OF THE PENNSYLVANIA R.R. INDUSTRIAL TRACK.

DEC. RES. Nº 604-1928.



NOTE: THE DASHED LINE SHOWN ON THIS PLAN 20 FT. WEST OF THE NOW EXISTING WEST LINE OF ANTHONY BLVD., CROSSING LOTS NOS 8, 9, 10, 11 & 12 EDGERTONS AMENDED ADDITION REPRESENTS THE WEST LINE OF ANTHONY BLVD., WHEN THE AGREEMENT ENTERED INTO BETWEEN THE GENERAL ELECTRIC CO. AND THE CITY IS FULFILLED BY THE CITY.

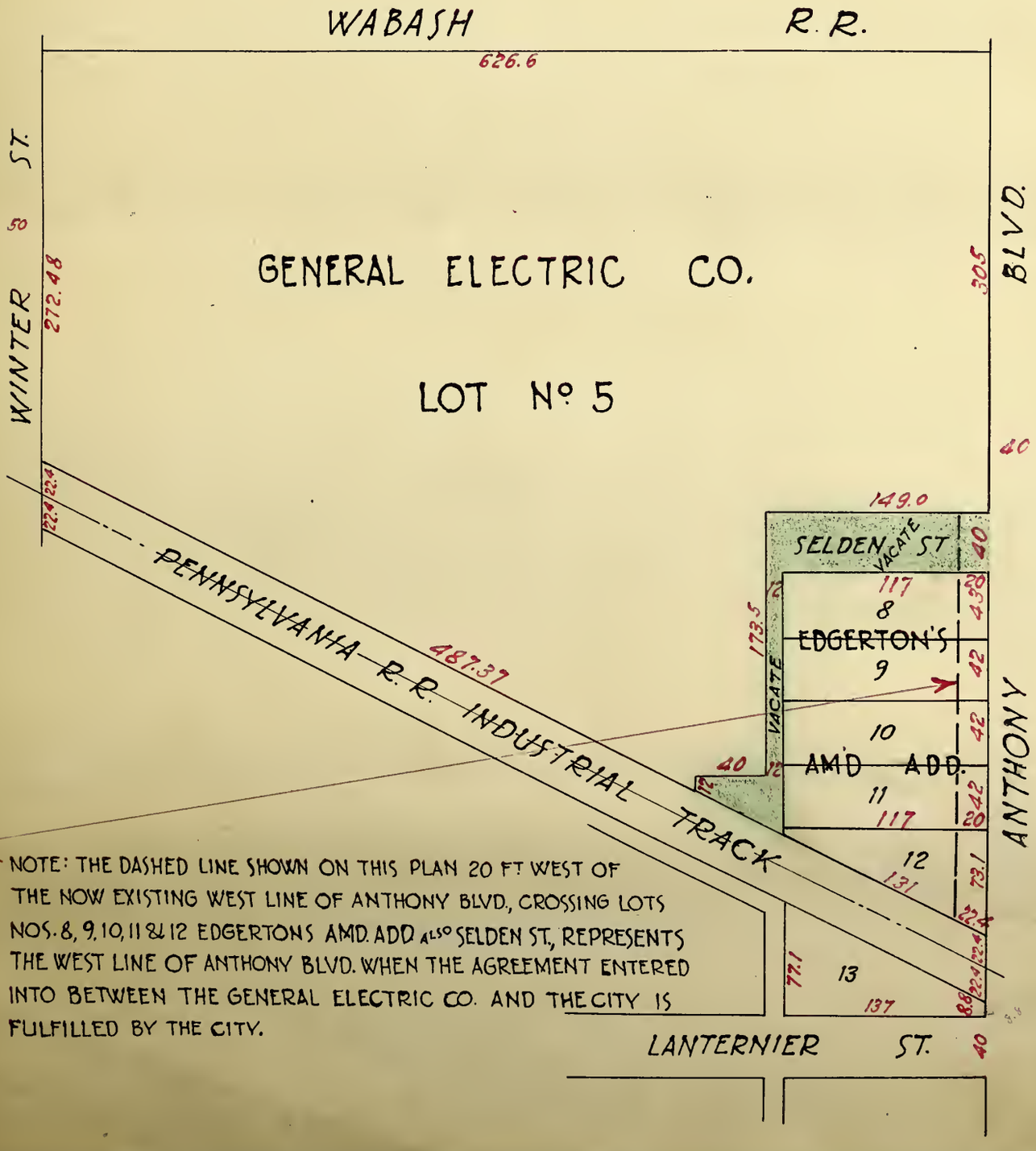
COPY

AMENDED

PLAN OF THE VACATION OF THAT PORTION OF SELDEN ST., FROM ANTHONY BLVD. TO ITS PRESENT WESTERN TERMINUS.

ALSO FOR THE VACATION OF THE ALLEY WEST OF ANTHONY BLVD., FROM SELDEN ST. TO THE NORTH RIGHT-OF-WAY LINE OF THE PENNSYLVANIA R.R. INDUSTRIAL TRACK.

DEC. RES. Nº 604-1928.



NOTE: THE DASHED LINE SHOWN ON THIS PLAN 20 FT. WEST OF THE NOW EXISTING WEST LINE OF ANTHONY BLVD., CROSSING LOTS NOS. 8, 9, 10, 11 & 12 EDGERTONS AMD. ADD. ALSO SELDEN ST., REPRESENTS THE WEST LINE OF ANTHONY BLVD. WHEN THE AGREEMENT ENTERED INTO BETWEEN THE GENERAL ELECTRIC CO. AND THE CITY IS FULFILLED BY THE CITY.

SINGMASTER PRINTING CO. FORT WAYNE, IND.

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In witness Whereof the parties hereto have signed their names the day and year first above written.

GENERAL ELECTRIC COMPANY

by C. E. EVELETH, V.P.

CITY OF FORT WAYNE

by WM. BECK

TOM SHOOK

W. S. O'ROURKE

Its Board of Public Works.

ATTEST: AGATHA E. DIEK

SECRETARY.

October 11th, 1928

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Yours truly,

Agatha E. Diek
Secretary.

AED:JPL

COPY